

Message

From: Cordeiro, Nicole (DAA) [nicole.cordeiro@massmail.state.ma.us]
Sent: 10/26/2011 8:08:47 PM
To: Nassif, Julianne (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Julianne.Nassif]
CC: O'Brien, Elisabeth (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Elisabeth.O'Brien]
Subject: FW: Cw v [REDACTED]

Dear Julianne,

I am writing this email seeking your approval to have the drugs in the above case retested. They were originally tested by Stacey Feiden and Annie Khan. There were two p/bs of heroin and some suboxone pills. I know Stacey isn't in the state anymore so this poses a problem for my case. I have tried my best to avoid requesting this of the lab given the minimal staff you have there and the flood of drugs coming through the door. I even offered a very reasonable plea today prior to the motion to suppress, which the defendant rejected. Unfortunately, the defendant is not in custody so he thinks he'll never be recommitted on this case. I think that it is definitely going to trial. In an attempt to avoid dismissal of this case, I am requesting your approval for retesting of the drugs. Maybe Annie can do it so two people don't have to leave the lab on the day of trial; like we did with the Trina Pickard case.

The case is on for Final Pretrial Hearing on November 1. It is on for Trial on Nov 7th but I'll be requesting a further date given the circumstances and the fact that I'll be in California.

Please let me know whether you approve at your earliest convenience. Thank you for your attention to this matter.

Sincerely,

Nicole B. Cordeiro
Assistant District Attorney
Major Felony Bureau
1 Bulfinch Place, Suite 300
Boston, MA 02114

P: 617-619-4165

F: 617-619-4175

From: Lee, Macy (SUF)
Sent: Wednesday, October 26, 2011 2:38 PM
To: Cordeiro, Nicole (SUF)
Cc: O'Brien, Elisabeth (DPH); Nassif, Julianne (DPH)
Subject: RE: Cw v [REDACTED]

Hi Nicole,

I just got off the phone with Elisabeth O'Brien, one of the lab managers over at the state lab. Julianne Nassif is out of the office until Friday, October 28, 2011. The procedure for requesting a retest involves a formal written request to Julianne for a retest, who will then approve (or deny) the request (depending on the situation). I explained your situation to Elisabeth, who will give Julianne a heads up to look out for your request. Elisabeth's number is (617) 983-6622 if you have additional questions.

Good luck and keep me posted.

Macy

From: Cordeiro, Nicole (SUF)

Sent: Wednesday, October 26, 2011 2:00 PM

To: Lee, Macy (SUF)

Subject: RE: Cw v [REDACTED]

Yes, drugs were tested and results are heroin and suboxone. Yes, I have a cert. Stacy Feiden is no longer with the lab. Annie Khan partook in the analysis. Maybe she can just retest so we only need to bring her in. That worked for my last case in district court.

From: Lee, Macy (SUF)

Sent: Wednesday, October 26, 2011 1:57 PM

To: Cordeiro, Nicole (SUF)

Subject: RE: Cw v [REDACTED]

Hi Nicole,

The lab director is Julianne Nassif.

Tell me again: Were the drugs ever tested? If so, what were the results and do we have a cert?

Macy

From: Cordeiro, Nicole (SUF)

Sent: Wednesday, October 26, 2011 1:35 PM

To: Lee, Macy (SUF)

Subject: Cw v [REDACTED]

ANALYSIS # [REDACTED]

Hi Macy,

I talked to you about this case today prior to the motion to suppress. It went well and I expect it will be denied. With that said, the defendant will not take a plea. I also let defense counsel know that I don't intend to break the subseq offense charge. He told me that his client is not going to plea to anything but probation and short HOC time. I think this will be a trial. It is now scheduled for Nov 7th. I need to ask the chem lab to retest the drugs.

Based on my experience, the lab won't even accept the drugs at the door unless there is written approval (email) from the head of the lab, whose name escapes me right now. So, before I have BPD send the drugs back to lab would you mind making a call for me? FPTH is scheduled for Nov 1 so I'd like to advise the judge about this change.

Thanks!

Nicole B. Cordeiro
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